

## **NATURAL AREAS ADVISORY COUNCIL MEETING**

March 6, 2012

Environmental Laboratory  
Richards & Robbins Building

Dover, DE 19901

9:00 a.m.

### **ATTENDANCE**

#### **Council Members:**

John Williams, Chair  
David Athey, P.E.  
Debbie Heaton  
Dean Holden  
Peter Martin

#### **Guests:**

Karen Bennett, Fish & Wildlife  
Collin O'Mara, Secretary, DNREC

#### **Staff:**

Eileen Butler, Parks & Recreation, DNREC  
Ron Vickers, Parks & Recreation, DNREC  
Rose Ryodi, Parks & Recreation, DNREC

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### **I. Call to Order/Announcements**

Mr. Williams, Chairperson, called the Natural Areas Advisory Council meeting to order at 9:06 a.m. He welcomed Council members, and staff and asked for announcements.

### **II. Approval of Minutes of Meeting**

Mr. Williams asked for a motion to approve the December 6, 2011 meeting minutes. Council approved minutes as read.

### **III. Old Business**

#### **Landowner Outreach Strategy**

- Natural Area ranking through GIS mapping. Ms. Butler shared with Council how parcels adjacent to and within natural areas could be reviewed through the use of Geographic Information Systems (GIS) mapping to assist in determining areas for permanent preservation. Lands targeted for preservation through the Open Space Council use an assessment tool that would be useful to the Natural Areas program.
- Ms. Butler shared the criteria with the Council and requested that all comments be brought forward at the next NAAC meeting.

Mr. Williams thanked Mr. Vickers and Eileen for bringing the Open Space Ranking procedures to Council's notice. He said Council's priorities are to be proactive and to encourage people to preserve their land. A summary of the background of the process follows:

- Open Space Council will review and recommend to the DNREC Secretary the adoption of a ranking process that establishes land preservation priorities.

- The ranking process is intended to provide a strategic way of preserving open space by evaluating a property on its own features and against other similarly ranked properties in order to maximize benefits and leverage all relevant funding sources.
- Any property proposed for preservation is first screened by the following state land managing agencies for any specific interest:
  - Division of Fish & Wildlife (Wildlife Areas)
  - Division of Parks & Recreation (State Parks & Nature Preserves)
  - Delaware National Estuarine Research Reserve
  - Delaware Forest Service (State Forests and Forest Legacy Areas)
  - Division of Historical and Cultural Affairs
- Typically, a property of interest is an inholding to, expansion of or connection between lands protected or managed by these agencies.
- Additionally, a property of interest may be a stand-alone site that contains critical resources.
- The property is also reviewed against resource plans or resource analyses including the Delaware Ecological Network.
- The property is given a numeric score based on specific data from the following categories: ecological value, land use, cultural resources, water features, and recreation.
- A descriptive evaluation and project-specific questions are answered.

Mr. Williams asked for a motion to endorse this program. Mr. Athey moved to endorse the Open Space Ranking Program, modified to suit NAAC. Motion passed.

#### **IV. Natural Areas Registry**

Nothing to report at this time

#### **V. Nature Preserve Dedications**

- *Yardley-Dale Tract of the Thousand Acre Marsh Nature Preserve* - Division of Fish & Wildlife.

Ms. Butler introduced Ms. Karen Bennett, program manager for Delaware's Natural Heritage and Endangered Species Program, to talk about the pending acquisition.

The Division of Fish & Wildlife will acquire & settle on this property in June 2012. Council was given a handout on the restrictions to be used as a guideline when crafting the deed language. Ms. Butler indicated that this project was fluid as it relates to grant money and suggested Council email her any comments to be ready for discussion at the June 5, 2012 NAAC meeting.

Ms. Heaton asked where the source of funding was coming from for the purchase of the Yardley-Dale property.

Ms. Bennett said Fish & Wildlife applied for and was awarded a nationally competitive coastal wetlands grant through the US Fish & Wildlife Service. The total, with match, is \$1 million. It was highlighted in a Department of Interior press release.

The property contains large expanses of marshland with some upland forest fringe

and will help to link F&W properties up in the Augustine Wildlife Area. This area is well known for birding and permanent protection of this property will be beneficial to wildlife for foraging/breeding activities.

- *Kent County Levy Court Spring Creek Tract 1 of the Murderkill River Nature Preserve – Division of Fish & Wildlife.*

This property is just North West of Frederica on Route 12. The property is approximately 263-acres, largely forested with tidal wetlands along the riparian area. The forest is a mature mix of oak, beech, and mountain laurel, with some rare plants present. The area is an important stop over for migratory song birds.

Fish & Wildlife is assisting Kent County through DNREC's financial assistance branch - under the Water Pollution Control Revolving Fund, to purchase the property. Through this fund, municipalities and counties can request financial assistance to do waste water improvements.

Once Kent County purchases the property, they retain ownership of the property and the Division of Fish & Wildlife will hold the conservation easement, and will be responsible for monitoring and inspecting the property.

The Divisions of Fish & Wildlife and Parks & Recreation have drafted the conservation easement which includes a nature preserve dedication of a portion of the property. As part of the conservation easement, a habitat restoration and protection plan has been developed.

An agricultural field in the center of the property is still under lease. The key element of the habitat restoration plan is to restore this 91-acre agricultural field to forest. Kent County will begin their restoration effort of tree planting in 2014, with the assistance of the Delaware's Forest Service.

It is hoped that Kent County, over time, will purchase other forested parcels throughout the surrounding areas, thereby adding additional tracts to the Murderkill River Nature Preserve. The Nature Preserve portion of the property is approximately 164.76 acres. It will be the fourth tract within the Murderkill River Nature Preserve.

Kent County will meet to discuss the project this evening.

Ms. Butler asked Council to provide comments on the documents via email - copying to all other council members – by March 13th.

Mr. Williams asked Council for Conditional approval subject to comments and Council to pass this Plan subject to comments received by March 13.

Mr. Athey moved that Council accept the conservation easement, conditionally, upon Council being given one week from today, (3/13/2012) to review document and return comments via email to Eileen, who will within two days, redistribute a final version to Council for their approval or disapproval. This decision will require a majority of the Council to move forward. Motion passed.

## **VI. Nature Preserve Management Issues**

- *Pea Patch Island Nature Preserve Plan* – This document was emailed to Council – Ms.

Butler asked for comments on the Management Plan. Meetings were held internally with the Division Director and with people at Fort Delaware. The layout is similar to previously reviewed Management Plans. Internal reviews continue.

## **VII. New Business**

- *Nature Preserve Monitoring Schedule for 2012*

Ms. Butler presented Council with the proposed monitoring dates and invited Council to participate when they could. She would inform interested Council members if dates changed due to unforeseen circumstances.

## **VIII. Public Comment and Synopsis Reports From Other Councils, Stakeholders, and Partners**

### **DELAWARE BAYSHORE INITIATIVE**

Secretary O'Mara expressed his appreciation to attend the Natural Area Advisory Council meeting, and thanked Council for the opportunity to discuss and share a new Delaware Bay Shore Initiative that is still in an early stage.

The Bayshore Initiative encompasses the area from Port Penn in New Castle County, to Lewes in Sussex County. The objective is to build on the existing land conservation legacy and protection through federal, state and nonprofit partners to create a world class conservation area within this area of ecological significance that includes migratory shore birds, key conservation species, and the incredible diversity of habitat all located in such a small area. Currently, over 58 percent of the acreage is already protected, but at the same time there are threats to the habitat.

The Delaware Bayshore is identified worldwide for its ecological significance and is a global destination for the birding community. DNREC's goal is to enhance the Delaware Bayshore area by making it the best conservation and low-impact recreational destination in the nation.

Secretary O'Mara said for this effort to succeed, we must engage our partners and work to be as cost effective as possible, leveraging federal and private funds. He challenged the Council to work with the Department to ensure that we protect the highest quality sites. The following is from a PowerPoint presentation Secretary O'Mara presented to Council.

1. Conservation & Restoration:
  - Conservation - Expand on existing preserves through conservation easement and acquisitions strategies.
  - Restoration - Prioritize and strategize implementation of habitat restoration and enhancement projects - Focusing primarily on funding.
  - Enforcement - Target most vulnerable areas exposed to disturbance.
2. Recreation & Connectivity - connecting with local communities
  - Hiking/walking trails - Direct users to existing trails and highlight opportunities.
  - Biking Connections - Identify longer-range and safer roadside connections.
  - Waterways - Assess water trails and establish new launch areas.

- Wildlife Viewing/Access - Identify placement for wildlife viewing platforms.
3. Engagement & Marketing
- Branding & Marketing Materials - Develop consistent logo to identify destination & image and improve roadway and destination signs.
  - Facility Upgrades - Enhance existing facilities and identify public rest area needs
  - Community Economic Development - Work with Bayshore towns to identify opportunities
  - Volunteerism - Promote stewardship projects - get Delawareans engaged.

DNREC has already dedicated \$1million penalty-fund towards the initiative. There is a \$250,000 request in the Bond Bill for this initiative and another \$250,000 towards trails projects. There are federal conservation funds and state funds to go into this program. This project has been identified by Secretary Salazar of the Department of Interior as one of the 100 most exciting conservation projects in the country as part of the America Great Outdoor initiative.

The US Fish & Wildlife Service will be a critical partner - a project manager has been assigned by Secretary Salazar's office to help make sure there is an action plan and that we have a measurable and deliverable plan.

Secretary O'Mara thanked Karen Bennett for being the brains behind this project. Karen has been a champion and has worked diligently behind the scenes.

Mr. Holden said the challenges for balancing development and environmental protection is a controversial one with landowners and developers. There is a lot of hard work to be done. But the 58 percent that is already protected is a wonderful asset to use moving forward. The economic and ecological assets that are there, that have been put together, isn't well known. It would help to highlight this fact as this project goes forward.

Secretary O'Mara asked NAAC to be engaged in this project. We are going to be developing teams with the different topic areas mentioned. I would really like this group to give us good guidance in some of the critical habitat areas such as, habitat priority for acquisition for restoration and areas that are too precious to have an impact.

Mr. Vickers suggested that David Athey and Dean Holden give DNREC insight into their professional side of business to see how this could be perceived, to get their perception in more detail. David asked for a copy of the presentation.

**Chair asked for a motion to endorse Secretary O'Mara's Delaware Bayshore Initiative.**

**David Athey moved that the Natural Areas Advisory Council endorse the Delaware Bayshore Initiative as presented by Secretary O'Mara. Motion passed.**

Mr. Williams said the State Parks Council held their meeting on February 2, 2012 at Garrison Lake Golf Club. The following was discussed:

- The Resident Curatorship Program - Parks accepts applicants to restore older Park properties in lieu of paying rent;
- The definition of accessible trails - a new federal standard requires all parks to

provide ADA access for certain trails. Parks will need to define the type of trail characteristics needed for access to golf carts, ATV's, and motorized wheel chairs. This may change the way some trails are maintained. Under the federal regulations, each state needs to define accessibility.

- Indian River Inlet Bridge is completed and had its grand opening.
- The Kalmar Nickel is preparing the 375<sup>th</sup> year celebration of the arrival of the Swedes to Delaware.
- The Christina River clean-up is on April 21<sup>st</sup>.

**IX. Next Meeting and Adjournment**

The next Natural Areas Advisory Council meetings will be held on June 5, 2012 at DNREC's Environmental Laboratory, Richards & Robbins Building, 89 Kings Highway, Dover, DE, starting 9:00 a.m.

Mr. Williams asked for a motion to adjourn. Meeting adjourned at 11:04 a.m.